GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – APSPS--Prosecuting Officers -- Smt. J.S. Neelamanjari, formerly Senior Assistant Public Prosecutor (Admn.), Khammam, now working as Additional Public Prosecutor Grade-II, I Additional Assistant Sessions Court, Nellore - Enquiry conducted on the allegations of acts of misconduct – Charges held proved– Imposition of punishment of stoppage of two annual grade increments without cumulative effect, under Rule 9 (iv) of the A.P. Civil Services (CC&A) Rules, 1991--Orders – Issued.

HOME (COURTS.A) DEPARTMENT

G.O.RT.No. 228 Dated: 17-03-2017

Read the following:-

1. From the Joint Director of Prosecutions & Addl. Director of Prosecutions (FAC), A.P., Hyderabad, Lr.No.1707/B1/2010, Dated.26-02-2016.
2. Memo No. 523(P)/Cts.A/2016, Home (Cts.A) Department, Dt.14-03-2016.
3. Explanation submitted by Smt. J.S. Neelamanjari, Additional Public Prosecutor Grade-II, Nellore, dated.24-04-2016.

****

ORDER:-

In the references 1st read above the Joint Director of Prosecutions & Addl. Director of Prosecutions (FAC), Andhra Pradesh, Hyderabad, forwarded the Enquiry Report containing findings of the inquiry officer on the allegations of misconduct against Smt. J.S. Neelamanjari, formerly Senior Assistant Public Prosecutor (Admn.), Khammam, now working as Additional Public Prosecutor Grade-II, I Additional Assistant Sessions Court, Nellore.

The charges made against Smt. J. S.Neelamanjari regarding indiscipline activity in the Court hall and disagreeing with the Judicial officers in brief:

(a) while working as Senior Assistant Public Prosecutor, Additional Judicial First Class Magistrate Court, Khammam, she made a complaint to the Director of Prosecutions, marking a copy to the High Court with a request to curtail the attitude of the presiding officer of the first Additional Judicial First Class Magistrate Court, Khammam and warn her to follow the procedure;

(b) issue of proceedings requesting the Assistant Public Prosecutors and the Judicial magistrates of I class at Khammam not to take up any criminal cases during non-App days;

(c) Used to make comments against the Court proceedings and Judgements of Higher Courts, interruption of the Court proceedings and not following the established procedure and,

(d) Making a false complaint regarding irregular conduct of trial of cases and destroying the deposition of PW-2 in CC No.733/2007 against presiding officer of the III AJFCM Court, Khammam, direct to the Hon'ble Chief Justice of the High Court.

2. The Joint Director of Prosecutions & Addl. Director of Prosecutions (FAC), Andhra Pradesh, Hyderabad, has stated that the Inquiry Officer has concluded that the charges 1, 3 and 4 framed against the charged officer were proved and recommended that the Charge No.2 may be closed as the Director of prosecutions has already warned with regard to that charge.

3. A copy of the enquiry report has been communicated to the charged officer in the reference 2nd read above, and she submitted her reply in the reference 3rd read above.

Contd..2,

4. Government after careful examination of the enquiry report, the explanation submitted by Smt. J.S.Neelamanjari, and material on record observe that , the actions of the delinquent officer, being a Court Officer who knows well about the discipline of the Court, in making allegations against the presiding officers of the Courts on the conduct of Court proceedings without any basis, and addressing and marking copies of letters direct to the Hon'ble Chief Justice of High Court and her making comments against the presiding officers in the open Court and intentionally insulting and interrupting the Court proceedings and making comments of judgments of the higher Courts, is evidences her misconduct unbecoming of a Government servant and shows her indiscipline attitude.

5. Government further observe that; the role of the Prosecutor is not outside the Court. He/ She is a part of the Court proceedings and shall maintain decency and decorum of the Court. She failed to maintain minimum etiquette in the Court Hall. Further, she herself admitted the use of attributive language in her explanation. As a Prosecutor, she must have knowledge about the procedure that has to be followed on the Court proceedings, unlike she adopted a different procedure which shows her misconduct unbecoming of a Government servant.

6. Regarding Charge No.2, it was dropped by the enquiry officer, because earlier on said charge, the Director of Prosecutions had issued a warning to her. Since, warning is not a punishment, that charge also to be considered as the document in this charge prove that she acted beyond her limits as she has no powers to issue such proceedings to the Judiciary and it is a grave indiscipline on the part of the charged officer.

7. In view of the above, Government after careful examination of the matter, have decided to accept the findings of the enquiry officer. The gravity of misconduct warrants imposition of major penalty on the charged officer, but taking into consideration of the fact that the charged officer is on the verge of retirement, and therefore, it would be suffice to impose punishment of stoppage of two annual grade increments, without cumulative effect.

8. Therefore, Government, in exercise of powers conferred under Rule 9(iv) of the A.P. Civil Services (CC&A) Rules, 1991, hereby impose the punishment of stoppage of two annual grade increments, without cumulative effect on Smt. J.S. Neelamanjari, Additional Public Prosecutor Grade-II, I Additional Assistant Sessions Court, Nellore.

9. The Addl. Director of Prosecutions (FAC), Andhra Pradesh, Vijayawada, shall take action, accordingly. The Enquiry Records received vide references read above are returned herewith and shall acknowledge the same.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT

To
Smt. J.S.Neelamanjari,
Additional Public Prosecutor Grade-II,
I Additional Assistant Sessions Court, Nellore,
through the Addl. Director of Prosecutions (FAC), A.P., Vijayawada.

Copy to:
Addl. Director of Prosecutions (FAC), Andhra Pradesh, Vijayawada.
(along with original Enquiry Records)
The PS to Secretary, Law Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER